

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Timothy G. Swales, et al.      Group Art Unit: 1773  
Serial No.: 10/796,951      Examiner: Leszek B. Kiliman  
Filed: March 10, 2004  
For: **GLASS FIBERS AND MATS HAVING IMPROVED SURFACE  
STRUCTURES IN GYPSUM BOARDS**  
Docket No.: 7352

10100 West Ute Avenue  
Littleton, CO 80127  
June 23, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TERMINAL DISCLAIMER**

Petitioner, Johns Manville International, Inc., having a place of business at 10100 West Ute Avenue, Littleton, Colorado 80127, represents that it is the owner of the entire right, title, and interest of U.S. Patent Application Serial No. 10/796,951, filed March 10, 2004, for "Glass Fibers And Mats Having Improved Surface Structures In Gypsum Boards." The entire right, title, and interest of said application was assigned to Johns Manville International, Inc. by Assignment recorded on XX/XX/XX at Reel XXXX, Frame XXXX.

Petitioner hereby disclaims the terminal part of any patent on the above-identified application which would extend beyond the expiration date of any patent granted on commonly assigned U.S. Patent Applications Serial No. 10/910,183, 10/983,870 or 10/910,113, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on commonly assigned U.S. Patent Applications Serial No. 10/910,183, 10/983,870 or 10/910,113, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

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Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory period as presently shortened by any terminal disclaimer of any patent granted on U.S. Patent Applications Serial No. 10/910,183, 10/983,870 or 10/910,113, in the event that said patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a); had all claims canceled by a reexamination certificate; or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

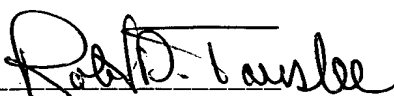
The undersigned is empowered to act on behalf of Johns Manville International, Inc. with respect to this submission.

I have reviewed the assignment for the above-identified patent application and certify that, to the best of my knowledge and belief, the entire right, title, and interest in the invention of the above-identified patent application is held by Johns Manville International, Inc.

Enclosed is a check made payable to the Director Of U.S. Patents And Trademarks in the amount of \$130 to cover the fee for filing this Terminal Disclaimer, under 37 CFR § 1.20(d).

Respectfully submitted,

Johns Manville International, Inc.

By   
Robert D. Touslee  
Reg. No. 34,032  
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The PTO did not receive the following  
listed item(s) the check in the  
amount of \$ 130.00